

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: May 5, 2004 Name: Michele Dolinski

Signature: M. Dolinski

**BRINKS  
HOFFER  
GILSON  
& LIONE**

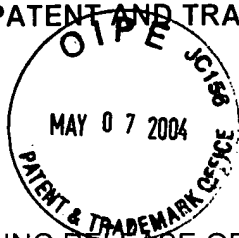
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: **Roman Barabolak**

Appln. No.: **10/619,849**

Filed: **July 14, 2003**

For: **METHOD OF CONTROLLING RELEASE OF  
ANTIMICROBIAL AGENTS IN CHEWING GUM  
AND GUM PRODUCED THEREBY**



Examiner: **TBA**

Art Unit: **1761**

Attorney Docket No: **1391-1553**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Transmittal Sheet (in dup. 1 pg.); Information Disclosure Statement (in dup. 4 pgs. each), Supplementary European Search Report (2 pgs.); PTO 1449 Form (2 pgs.) and copy of four cited references.
- ☒ Return Receipt Postcard

**Fee calculation:**

- ☒ No additional fee is required.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ to cover the above-identified fee(s) is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

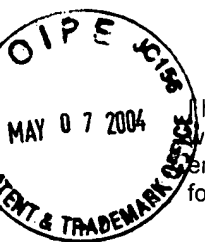
Respectfully submitted,

**5-5-04**

Date

Steven P. Shurtz, (Reg. No. 31,424)

Brinks Hofer Gilson Lione  
P.O. Box 10395  
Chicago, IL 60610



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5-5-04

Date of Deposit

Steven P. Shurtz, Reg. No. 31,424

Name of Applicant, Assignee or  
Registered Representative

Steven P. Shurtz, Reg.

Signature

5-4-04

Date of Signature

Our Case No.: 1391-1553

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Roman M. Barabolak et al.

Serial No.: 10/619,849

Filing Date: July 14, 2003

For: METHOD OF CONTROLLING RELEASE OF  
ANTIMICROBIAL AGENTS IN CHEWING  
GUM AND GUM PRODUCED THEREBY

Examiner: TBA

Group Art Unit No.: 1761

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record.

The references now cited are the following:

#### US PATENTS

<b>DOCUMENT NUMBER Number-Kind Code (if known)</b>	<b>DATE</b>	<b>NAME</b>
4,624,849	11/25/86	Toogood
4,822,597	04/18/89	Faust et al.
4,853,212	08/01/89	Faust et al.
4,894,220	01/16/90	Nabi et al.
4,978,537	12/18/90	Song et al.
4,980,150	12/25/90	Keith
5,032,385	07/16/91	Reed et al.
5,037,637	08/06/91	Gaffar et al.
5,156,835	10/20/92	Nabi et al.
5,300,305	04/05/94	Stapler et al.
5,334,375	08/02/94	Nabi et al.
5,356,615	10/18/94	Gaffar
5,380,530	01/10/95	Hill
5,453,265	09/26/95	Gaffar et al.
5,472,685	12/05/95	Gaffar
5,474,761	12/12/95	Liang
5,487,902	01/30/96	Andersen et al.
5,496,540	03/05/96	Gaffar et al.
5,531,982	07/02/96	Gaffar et al.
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5,616,315	04/01/97	Masterman et al.
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5,693,334	12/02/97	Miskewitz
5,702,687	12/30/97	Miskewitz
5,711,961	01/27/98	Reiner et al.
6,248,309 B1	06/2001	Lyer et al.
6,436,369 B2	08/20/02	Barabolak et al.
6,592,912 B1	07/15/03	Barabolak et al.

## FOREIGN PATENT DOCUMENTS

<b>DOCUMENT NUMBER Number-Kind Code (if known)</b>	<b>DATE</b>	<b>COUNTRY</b>
0 399 479	11/28/90	EUROPE
2015656	05/1989	Spain
92-139117 A	05/13/92	Japan
WO 84/03201	08/30/84	WIPO
WO 89/05590	06/29/89	WIPO
WO 90/11020	10/04/90	WIPO
WO 90/14015	11/29/90	WIPO
WO 91/03147	03/21/91	WIPO
WO 92/20319	11/26/92	WIPO
* WO 93/11754	06/24/93	WIPO
* WO 95/34274	12/21/95	WIPO
* WO 96/03111 A1	02/08/96	WIPO
* WO 96/37183	11/28/96	WIPO
WO 99/33352	07/08/99	WIPO

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

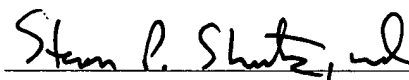
This application is a continuation application of U.S. Serial No. 09/599,921, filed June 22, 2000, now US Patent No. 6,592,912, which is relied upon for an earlier filing date under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d), only copies

of foreign patent documents not previously cited and submitted to the Patent and Trademark Office in the prior application Serial No. 09/599,912, are required to be submitted. Those documents are marked with an asterisk (\*), and are enclosed for the convenience of the Examiner. In the parent application, English language translations of three foreign patent references were provided. If the Examiner needs copies of these translations again, he is invited to telephone Applicants' attorney.

Applicants submit herewith a Supplemental European Search Report received for corresponding patent application No. EP 97 95 3531. Each reference cited in this communication is also cited in this Information Disclosure Statement.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



---

Steven P. Shurtz  
Registration No. 31,424  
Attorney for Applicants

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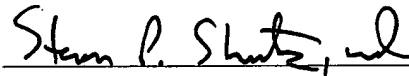


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FORM PTO-1449	SERIAL NO. 10/619,849	CASE NO. 1391/1553
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE July 14, 2003	GROUP ART UNIT 1761
(use several sheets if necessary)		APPLICANT(S): Roman M. Barabolak et al.

# REFERENCE DESIGNATION

# U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	4,624,849	11/25/86	Toogood		
	A2	4,822,597	04/18/89	Faust et al.		
	A3	4,853,212	08/01/89	Faust et al.		
	A4	4,894,220	01/16/90	Nabi et al.		
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	A8	5,037,637	08/06/91	Gaffar et al.		
	A9	5,156,835	10/20/92	Nabi et al.		
	A10	5,300,305	04/05/94	Stapler et al.		
	A11	5,334,375	08/02/94	Nabi et al.		
	A12	5,356,615	10/18/94	Gaffar		
	A13	5,380,530	01/10/95	Hill		
	A14	5,453,265	09/26/95	Gaffar et al.		
	A15	5,472,685	12/05/95	Gaffar		
	A16	5,474,761	12/12/95	Liang		
	A17	5,487,902	01/30/96	Andersen et al.		
	A18	5,496,540	03/05/96	Gaffar et al.		
	A19	5,531,982	07/02/96	Gaffar et al.		
	A20	5,560,906	10/01/96	Scodari et al.		
	A21	5,616,315	04/01/97	Masterman et al.		
	A22	5,626,837	06/05/97	Shimada et al.		
	A23	5,693,334	12/02/97	Miskewitz		
	A24	5,702,687	12/30/97	Miskewitz		
	A25	5,711,961	01/27/98	Reiner et al.		
	A26	6,248,309 B1	06/2001	Lyer et al.		
	A27	6,436,369 B2	08/20/02	Barabolak et al.		
	A28	6,592,912 B1	07/15/03	Barabolak et al.		

# FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES NO
	A29	0 399 479	11/28/90	EPO		X
	A30	2015656	05/1989	Spain		X
	A31	92-139117 A	05/13/92	Japan		X
	A32	WO 84/03201	08/30/84	WIPO		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM PTO-1449	SERIAL NO. 10/619,849	CASE NO. 1391/1553
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE July 14, 2003	GROUP ART UNIT 1761
APPLICANT(S): Roman M. Barabolak et al.		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	A33	WO 89/05590	06/29/89	WIPO			
	A34	WO 90/11020	10/04/90	WIPO			
	A35	WO 90/14015	11/29/90	WIPO			
	A36	WO 91/03147	03/21/91	WIPO			
	A37	WO 92/20319	11/26/92	WIPO			
	A38	WO 93/11754	06/24/93	WIPO			
	A39	WO 95/34274	12/21/95	WIPO			
	A40	WO 96/03111 A1	02/08/96	WIPO			
	A41	WO 96/37183	11/28/96	WIPO			
	A42	WO 99/33352	07/08/99	WIPO			

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	A	

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